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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,367	02/07/2001	Bruce Kreikemeier		6849

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EXAMINER

BARNES, CRYSTAL J

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/778,367

Applicant(s)

KREIKEMEIER ET AL.

Examiner

Crystal J. Barnes

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 are rejected under 35 U.S.C. 102(a) as being anticipated by USPN 6,600,971 B1 to Smith et al.

As per claim 1, the Smith et al. reference discloses in combination with mechanized irrigation components and ancillary equipment therefore for irrigating a field comprising a wireless RUI [central computer 25, satellite controllers 15 (see figure 3 and column 4 lines 44-46, columns 5-6 lines 67-3)] comprising a handheld display and keypad [graphical user interface (see columns 4-5 lines 66-2, column 6 lines 20-24)] for (a) reading the status [monitor] of irrigation components [sprinkler valves 17] and ancillary equipment [various sensors 21] (see column 5

lines 3-7) and (b) controlling [operate] the irrigation components [sprinkler valves 17] and ancillary equipment [various sensors 21] (see column 4 lines 51-61).

As per claim 2, the Smith et al. reference discloses said wireless RUI [central computer 25, satellite controllers 15 (see figure 3 and column 4 lines 44-46, columns 5-6 lines 67-3)] has the capability of reading the status [monitor] of the irrigation components [sprinkler valves 17] and ancillary equipment [various sensors 21] (see column 5 lines 3-7) and controlling [operate] the same from any location [node] in the field [network] (see figure 3 and column 4 lines 41-50).

As per claim 3, the Smith et al. reference discloses in combination with mechanized irrigation components for irrigating a field comprising a wireless RUI [central computer 25, satellite controllers 15 (see figure 3 and column 4 lines 44-46, columns 5-6 lines 67-3)] comprising a handheld display and keypad [graphical user interface (see columns 4-5 lines 66-2, column 6 lines 20-24)] having the capability of (a) reading the status [monitor] of the irrigation components [sprinkler valves 17] (see column 5 lines 3-7) and (b) controlling the operation [operate] of the irrigation components [sprinkler valves 17] (see column 4 lines 51-61).

As per claim 4, the Smith et al. reference discloses the method whereby a person may remotely determine the status of mechanized irrigation components and ancillary equipment and for controlling the operation thereof, comprising the steps of providing a handheld wireless RUI [handheld unit 25 (see figure 3 and column 6 lines 20-24)]; utilizing said RUI [handheld unit 25 (see figure 3 and column 6 lines 20-24)] to read the status [monitor] of the irrigation components [sprinkler valves 17] and ancillary equipment [various sensors 21] (see column 5 lines 3-7); and utilizing said RUI [handheld unit 25 (see figure 3 and column 6 lines 20-24)] to control [operate] the irrigation components [sprinkler valves 17] and ancillary equipment [various sensors 21] (see column 4 lines 51-61).

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4,626,984 to Unruh et al.

As per claim 1, the Unruh et al. reference discloses in combination with mechanized irrigation components and ancillary equipment therefore for irrigating a field comprising a wireless RUI [central computer or base unit 22, portable base unit 32 (see figure 1 1-3 and column 4 lines 4-17)] comprising a handheld display and keypad [pivot panel (see figure 5 and column 5 lines 10-14, figure 9 column 6 lines

42-55)] for (a) reading the status [monitor] of the irrigation components [remote units 24, 26, 28 (see figures 1-3 and columns 6-7 lines 68-2, 18-28)] and ancillary equipment [peripherals (see column 8 lines 4-14)] and (b) controlling [control] the irrigation components [remote units 24, 26, 28] 4, 18] (see figures 1-3 and column 7 lines 5-11) and ancillary equipment [peripherals (see column 8 lines 4-14)] (see column 9 lines 6-11).

As per claim 2, the Unruh et al. reference discloses said wireless RUI [central computer or base unit 22, portable base unit 32 (see figure 1-3 and column 4 lines 4-17)] has the capability of reading the status [monitor] of the irrigation components [remote units 24, 26, 28 (see figures 1-3 and columns 6-7 lines 68-2, 18-28)] and ancillary equipment [peripherals (see column 8 lines 4-14)] and controlling [control] the same from any location [any remote unit] in the field [system] (see figures 1-3 and column 4 lines 10-17).

As per claim 3, the Unruh et al. reference discloses in combination with mechanized irrigation components for irrigating a field comprising a wireless RUI [central computer or base unit 22, portable base unit 32 (see figures 1-3 and column 4 lines 4-17)] comprising a handheld display and keypad [pivot panel (see figure 5 and column 5 lines 10-14, figure 9 column 6 lines 42-55)] having the

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capability of (a) reading the status [monitor] of the irrigation components [remote units 24, 26, 28] (see figures 1-3 and columns 6-7 lines 68-2, 18-28) and (b) controlling the operation [control] of the irrigation components [remote units 24, 26, 28] (see figures 1-3 and column 7 lines 5-11).

As per claim 4, the Unruh et al. reference discloses the method whereby a person may remotely determine the status of mechanized irrigation components and ancillary equipment and for controlling the operation thereof, comprising the steps of providing a handheld wireless RUI [portable base 32 (see figure 1 and column 4 lines 10-17)]; utilizing said RUI [portable base 32 (see figure 1 and column 4 lines 10-17)] to read the status [monitor] of the irrigation components [remote units 24, 26, 28 (see figures 1-3 and columns 6-7 lines 68-2, 18-28)] and ancillary equipment [peripherals (see column 8 lines 4-14)]; and utilizing said RUI [portable base 32 (see figure 1 and column 4 lines 10-17)] to control [control] the irrigation components [remote units 24, 26, 28 (see figures 1-3 and columns 6-7 lines 68-2, 18-28)] and ancillary equipment [peripherals (see column 8 lines 4-14)].

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect remote monitoring and control systems in general:

USPN 4,209,131 to Barash et al.

USPN 4,760,547 to Duxbury

USPN 5,479,338 to Ericksen et al.

USPN 6,108,590 to Hergert

USPN 6,141,614 to Janzen et al.

USPN 6,236,332 B1 to Conkright et al.

USPN 6,437,692 B1 to Petite et al.

USPN 6,553,336 B1 to Johnson et al.

USPN 6,173,727 B1 to Davey

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is

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703.306.5448. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anil Khatri can be reached on 703.305.0282. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.305.3900.

cjb
September 26, 2003


ANIL KHATRI
SUPERVISORY PATENT EXAMINER